

REDEVELOPMENT PARCEL P-1 REDEVELOPMENT PLAN

Block 1219, Lots 1 and 2

Morris County, New Jersey

Town of Dover

May 31, 2016

DRAFT

REDEVELOPMENT PLAN

REDEVELOPMENT PARCEL P-1

Block 1219, Lots 1 and 2



Town of Dover
Morris County, New Jersey

PREPARED BY:



A handwritten signature in cursive script, reading 'John Madden', positioned above a horizontal line.

John Madden, PP #33LI00145200, AICP

A handwritten signature in cursive script, reading 'David G. Roberts', positioned above a horizontal line.

David G. Roberts, PP #33LI00308100, AICP, LLA,



Recommended by the Planning Board

May 25, 2016

Adopted by the Board of Aldermen

June 28, 2016

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I. INTRODUCTION

This report presents a redevelopment plan for Block 1219, Lots 1 and 2; a 1.183 acre area bounded by Prospect Street, Chestnut Street and Thompson Avenue. This redevelopment plan would act as an overlay in order to reconcile the Downtown Form Based Code for Zone D4 (South Downtown) with the specific plan for Redevelopment Parcel P-1 as set forth in the Downtown Redevelopment RFP from which Penrose, Inc. was selected as the designated redeveloper for Redevelopment Parcels P-1 and P-3.

The statutory basis for the Redevelopment Plan for Block 1219, Lots 1 and 2 designation by the Dover Town Governing Body of all land within the municipal boundaries of the Town of Dover as an "Area in Need of Rehabilitation" pursuant to the Local Redevelopment and Housing Law (hereafter "LRHL").

In accordance with Section 15 of the LRHL (N.J.S.A. 40A:12A-1 et. seq.), a municipality may proceed with a redevelopment project in an "Area in Need of Rehabilitation" upon adoption of a Redevelopment Plan adopted pursuant to the provisions of Section 7 of the LRHL.

In implementing an adopted redevelopment plan for a Rehabilitation Area, the Town of Dover may perform any of the actions allowed by Section 8 of the redevelopment statute (Effectuation of Redevelopment Plan) **except**, the Town of Dover shall not have the power to take or acquire property by condemnation in furtherance of a redevelopment plan.

The Town's Governing Body adopted a Resolution on August 9, 2006 declaring all land within the municipal boundaries of the Town of Dover as meeting the statutory criteria for designation as an "Area in Need of Rehabilitation" as defined in the LRHL.

This declaration was based on the fact that more than 50 percent of the housing stock is at least 50 years old, and the majority of the water and sewer infrastructure is at least 50 years old and is in need of repair or substantial maintenance (a copy of the resolution designating the Town of Dover as an "Area in Need of Rehabilitation" is included as Appendix A).

The Plan has been prepared to guide the revitalization and redevelopment of Block 1219, Lots 1 and 2 and is intended to meet the requirements of Section 7 and Section 14 of the LRHL.

This Redevelopment Parcel P-1 Redevelopment Plan for Block 1219, Lots 1 and 2 is essentially a master plan with "teeth" for these properties – a planning document that merges the vision of a master plan with the authority of a zoning ordinance. The required components of a Redevelopment Plan are described in the following section.

REQUIRED PLAN COMPONENTS

This document has been prepared in accordance with Section 40A:12A-7a of the Local Redevelopment Housing Law which requires redevelopment plans to include an outline for the planning, development, redevelopment or rehabilitation of the designated area. Specifically:

1. The Redevelopment Plan's relationship to definite local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements. (See Chapter V.)
2. Proposed land uses and building requirements in the project area. (See Chapter VII.)

3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market. (See Chapter VII.)
4. An identification of any property within the area, which is proposed to be acquired in accordance with the redevelopment plan. (See Chapter VII.)
5. Any significant relationship of the redevelopment plan to the master plans of contiguous municipalities; the master plan of the county in which the municipality is located; and the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act", P.L. 1985, c.398 (C.52:18A-196 et al.). (See Chapter VI.)
6. Description of the plan's relationship to pertinent municipal development regulations as defined in the Municipal Land Use Law (MLUL). The plan shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the study area. (See Chapter II.)
7. All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan. (See Chapter V, Conclusion.)

II. REDEVELOPMENT PLAN AREA

The Redevelopment Plan Area consists of two tax lots as follows:

- Block 1219, Lot 1
- Block 1219, Lot 2

These two parcels comprise 1.183 acres. The first is Block 1219, Lot 1, a .1377 acre (6,000 square feet) lot located at the corner of Prospect and Chestnut Streets. It contains a privately owned two-story single-family detached residential dwelling built in 1890. Figure 1 shows a photograph of this residential structure facing Prospect Street.

Figure 1: Photograph of Residential Unit on Lot 1



The second lot is Block 1219, Lot 2, a 1.320 acre parcel with frontages on Thompson Avenue and Chestnut and Prospect Streets. This parcel is known as Public Parking Lot "D", is owned by the Town of Dover Parking Authority. It currently provides 181 surface parking spaces for the public. Figure 2 shows the redevelopment plan area on an aerial photograph and the extensive amount of area devoted to surface parking. Lot 2 has an assessed land value of \$220,900 and an improvement value of \$37,900. A 5.8 to 1 land value over the property's improvement value is an indication that the property would support a higher market value, particularly in proximity to mass transit and the Town's commercial core.

Figure 3: Pennrose Concept Plan for Redevelopment Alternate Plan #1

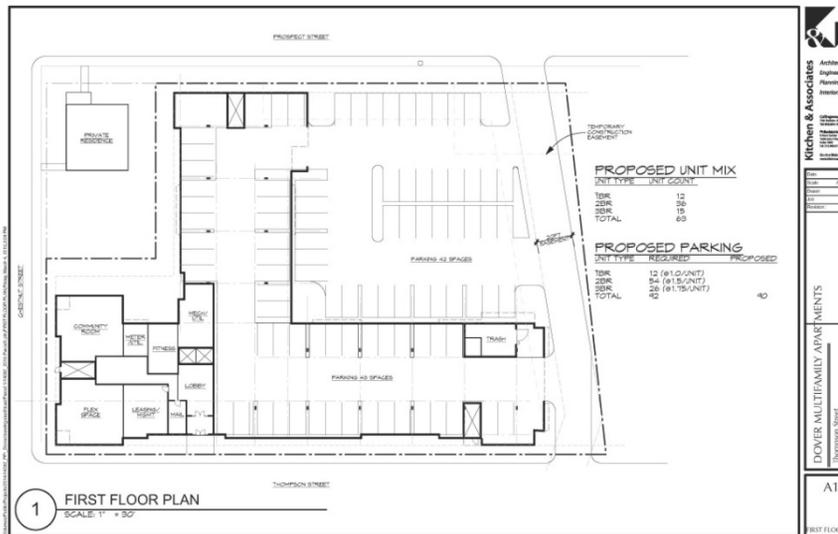
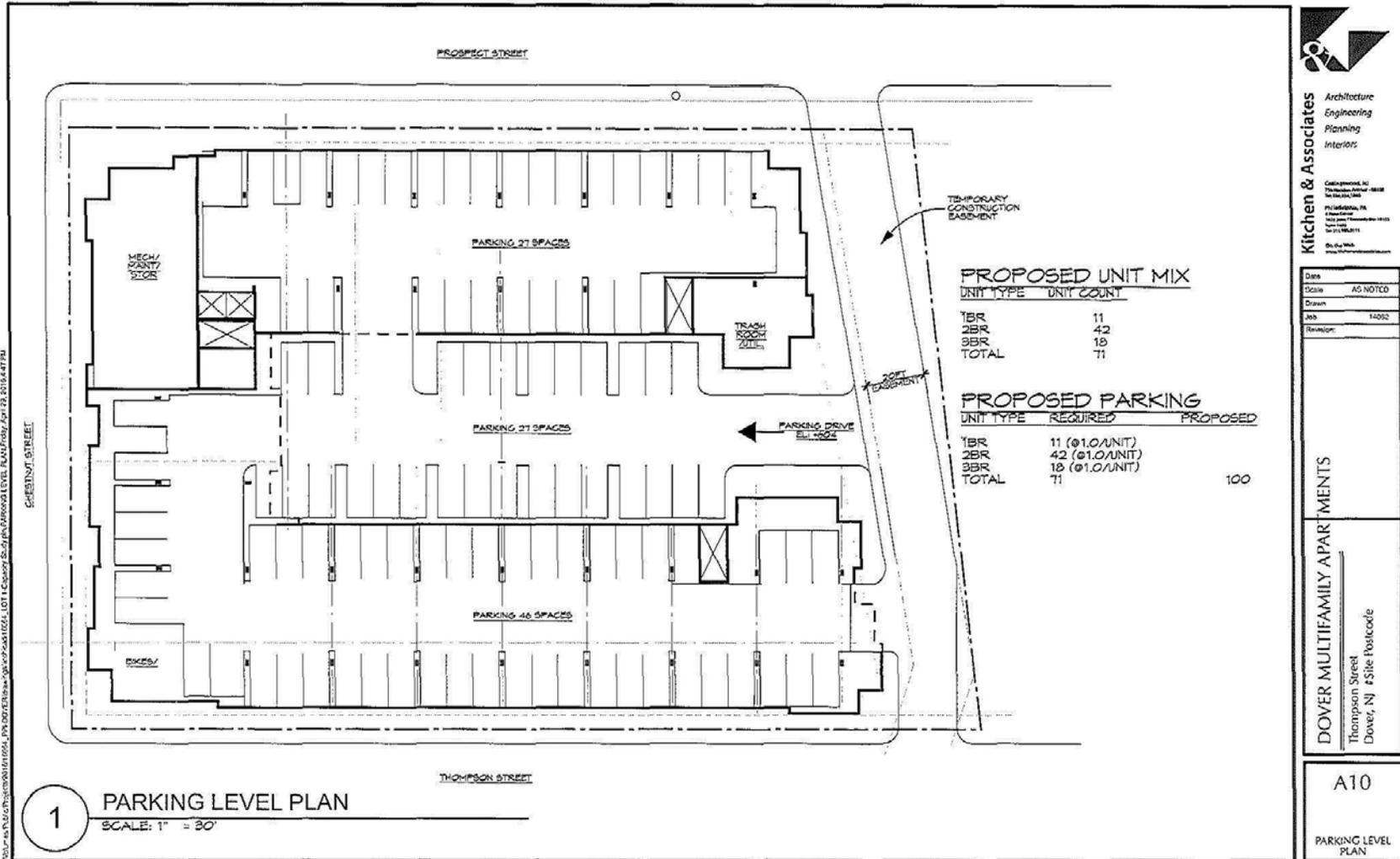


Figure 2: Location of Study Area

Figure 4: Architectural Rendering of Planned Multi-Family Building for Alternative Plan #1



Figure 5: Penrose Concept Plan for Redevelopment Alternative Plan #2



III. THE REDEVELOPMENT PLAN FOR BLOCK 1219, LOTS 1 AND 2

The Alternate #1 Redevelopment Plan on Figure 3 proposes to replace the existing 181 public parking spaces on Lot "D" with a mid-rise multi-family apartment building. Alternate Redevelopment Plan #2 includes the lot currently occupied by the existing single-family detached dwelling unit on the corner of Chestnut and Prospect Streets. This lot can continue as is or choose redevelopment for a use permitted in the D4 South Downtown District. All of the building's dwelling units will be set aside as affordable housing units with the intention of renting to Veterans. It is expected that LIH Tax Credit funds will support the affordable housing project.

The main feature of the Alternate #1 Redevelopment Plan will be an 86,000 square foot four-story multi-family building with three floors of residential apartments above parking on the first floor. The building will accommodate up to a maximum of 70 apartments whose average unit size would be 707 square feet. Figure 4 shows a preliminary rendering of the multi-family building.

6,500 square feet of the building will consist of a lobby, community room, laundry room, flex space and leasing office. An adjacent outdoor play area of approximately 1,200 square feet will be provided.

Based on concept plans for the site provided by the designated redeveloper, this Plan anticipates that there will be a total of approximately 90 off-street parking spaces of which approximately 48 will be provided under the upper residential floors. The remaining 52 off-street parking spaces will consist of surface parking.

The residential portion of the building will occupy 180 feet of frontage on Thompson Avenue and 65 feet or about 30 percent of the Prospect Street frontage. The main entry and common area section of this building at the corner of Chestnut Street and Thompson Avenue will occupy about 90 feet of the frontage on both streets. The combination of the residential and common area sections of the building will form a continuous street wall along Thompson Avenue.

Alternate Redevelopment Plan #2 has Lot 1 merged with Lot 2. Figure 5 shows the redevelopment plan for the assembled parcel with a total of 71 apartments in a mid-rise building fronting entirely on Chestnut, Prospect and Thompson Streets. A total of 100 off-street parking spaces include 73 ground floor spaces under the building and 27 open air surface spaces. At the corner of Chestnut and Prospect Streets, the building will feature the same common facilities as Alternative #1 except for the outdoor play area. Under all Redevelopment Plans, shared parking arrangement will be established by the Town to serve both the needs of the residents and the public during weekdays. Forty (40) off-street parking spaces in the Redevelopment Area will be available full-time for the public Monday through Friday between the hours of 8:00 a.m. to 6:00 p.m. The remainder of the parking spaces will be for apartment residents only. During the evening hours of 6:00 p.m. to 8:00 a.m., all of the parking spaces will be reserved for the residential development.

ZONING

The zoning (Section 236-17) is the Form Based Code adopted in October 2006 which established the Downtown District as four Zones, with the D4 (South Downtown Zone) covering the rear portions of the blocks between Blackwell Street and the

rail line, as well as the surface parking lots on the south side of the rail line. The Form Based Code consists of nine regulation provisions which are as follows:

1. District Regulating Map 1 – Designated Districts
2. District Regulating Map 2 – Civic Spaces and Public/Quasi-Public Overlays
3. Downtown Districts
4. Height Regulating Map
5. Building Types
6. Frontage Types
7. General Regulations for Downtown Districts
8. Architectural Standards

PLAN RELATIONSHIP TO ZONING

The Redevelopment Plan for Block 1219, Lots 1 and 2 constitutes an overlay to the existing D4 Zone in the Downtown Dover Form Based Code. The plan intention is to conform to the permitted uses and other standards for the D4 Zone. The Redevelopment Plan will permit deviations from D4 standards regulating sideyard setback, building size, residential unit size, number of parking spaces, parking configuration, and maximum distance between building entries. These deviations are further described below.

These minor changes to the D4 Zone will enable the redevelopment of Redevelopment Parcel P-1 in a manner that will support the redevelopment of the other Redevelopment Parcels (P-2 through P-7) and provide an important component of the Town’s Housing Element and Fair Share Plan.

This section will examine the relationship of the Redevelopment Plan and The Form Based Code for the D4 (South Downtown

Zone). The deviations to the Code are identified and the rationale for the deviations will be explained.

District Purpose/Goals

“To operate new multi-family residential housing close to the train station” (Page 17 Code). This Redevelopment Plan advances this Goal.

District Regulations

- **District Regulating Map 1 – Designated Districts**
Complies, property is within the D4 South Downtown District
- **District Regulating Map 2 – Civic Spaces, Public (Parking) Quasi-Public**
Complies, none required on this property
- **District Regulating Map 3 – Building Heights**
Complies, within maximum building height of six stories and 75 feet
- **District Regulating Map 4 – Street Types**
 - Complies, Thompson and Prospect Street meet Avenue “B” requirements.
 - There are no requirements for Chestnut Street
- **Building Types**
 - Complies, multi-family building permitted, west of Orchard Street;
 - No other uses permitted on any floor in a multi-family building;
 - Complies with (a) setbacks except for 25 foot maximum side yard for access and landscaping.
 - **This Redevelopment Plan will permit a Side Yard Setback minimum of Ten Feet**

or permit the substituting of a decorative steel fence, as approved by the Planning Board.

- Complies with (b) building height;
- Does not comply with (c) building size. The building on Thompson Ave. exceeds the maximum width of 150 feet.
 - **This Redevelopment Plan will permit the entire building to measure 285 feet along all frontages.**
- The building size regulation requires a building frontage at the build-to-line of 90% of lot frontage.
 - **The Redevelopment Plan Will Permit the Entire Building Width to Occupy the Entire Frontage on all streets. For buildings exceeding a width or length of 150 feet, architectural elements such as wall offsets or projections such as balconies, canopied, bay windows and recesses, shall be used to provide visual breaks in the building façade and massing.**
- Complies with Building Depth.
 - **The Redevelopment Plan will permit 55% or less of the parking in a front yard where a property has three street frontages.**
 - Under Alternative Redevelopment Plan #1, 43% of the off-street parking is under habitable space but this Redevelopment Plan will permit up to 55% of the parking to be surface parking not in the rear of the building where there are three street frontages.
- Complies with Maximum Building Encroachments in D4 Regulations.
 - This Redevelopment Plan deviated from Form Based Code Zone D4 Regulation

#2 requiring maximum distance between street level building entries be 25-35 feet. **Because of internalized parking at the street level, the Maximum Distance Between Entries or other appropriate architectural elements is permitted to be 135 Feet**

- **Allowable Frontage Types**

Complies

- **Street Type**

Complies

- **Architectural Standards**

Complies

- **Sustainability**

Complies

- **Streetscape**

Complies

- **Parking**

- The D4 District requires 1 space/1 bedroom; 1.5 spaces/2 bedrooms and 1.75 spaces/3 bedrooms. **For the purposes of this Redevelopment Plan the parking requirement shall be 1 parking space per dwelling unit, but a shared parking arrangement would allow public use of 40 parking spaces in the redevelopment project Monday through Friday between the hours of 8:00 a.m. and 6:00 p.m. All off-street parking spaces would be reserved for the residential development on Saturday and Sunday and on weekdays between the hours of 6:00 p.m. to 8:00 a.m.**

IV. PLAN GOALS & VISION

This chapter provides goals specific for the Redevelopment Area as well as a vision statement.

GOALS OF REDEVELOPMENT

The Redevelopment Plan for Block 1219, Lots 1 and 2 meet the following goals of redevelopment:

- To create opportunities within the downtown for retail, office, restaurants and upper floor residential uses.
- To create development that capitalizes on its proximity to the train station.
- To create new multi-family residential housing close to the train station.
- To create compact, pedestrian-friendly development.

VISION

In the year 2024, this surface parking lot has been transformed from an underutilized parking area to a multi-family building in proximity to the downtown business district with affordable units geared toward military veterans.

V. RELATIONSHIP TO LOCAL OBJECTIVES

This Redevelopment Plan conforms to the goals of the 2006 Transit-Oriented Development Plan for new development in Sub-Area 2 which are applicable to Block 1219, Lots 1 and 2.

The Redevelopment Plan will advance the goals of the 2007 Master Plan.

VI. RELATIONSHIP TO OTHER PLANS

PLANS OF ADJACENT COMMUNITIES

Redevelopment Plan is consistent with the planning goals and policies of adjacent communities, Morris County and the New Jersey State Plan. The Redevelopment Plan area is only slightly more than an acre in size and is not close to any of the adjoining municipalities of Wharton, Randolph, Rockaway or Victory Gardens.

VII. REDEVELOPMENT PLAN PROVISIONS AND PROCEDURES

This chapter of the Redevelopment Plan provides the general provisions, including review process.

GENERAL PROVISIONS

RELOCATION

There is one structure within Sub-Area 2. As there is no use of eminent domain authorized in the redevelopment area designation, it is anticipated that the relocation of the residential tenants will be addressed as part of the sale of the property to the redeveloper. Therefore, no relocation assistance is necessitated by the Redevelopment Parcel P-1 Redevelopment Plan.

PROPERTIES TO BE ACQUIRED

This Redevelopment Plan intends to encourage a developer to acquire Block 1219, Lot 1. However, the Town owns Block 1219,

Lot 2 and will convey the lot to the designated redeveloper to facilitate the redevelopment project addressed by this Redevelopment Plan. The Town of Dover can use all the powers provided under the Redevelopment Plan for use in an area in need of rehabilitation **excluding** the power of Eminent Domain. Therefore, no private property is identified for acquisition other than through private sale between a willing buyer and seller.

WAIVERS FROM REDEVELOPMENT PLAN REQUIREMENTS

Variation from one or more of the specific development requirements set forth in this Redevelopment Plan may be necessary in certain circumstances for the effective redevelopment of the Redevelopment Area, or to meet state or federal permit requirements. In such an instance, the Dover Planning Board may waive specific bulk, parking or design requirements, provided the designated redeveloper demonstrates that such waiver is necessary for the feasibility of the project, will not substantially impair the intent of the Redevelopment Plan and will not present any detriment to the public health, safety and welfare.

REVIEW PROCEDURES

The review procedures for this Redevelopment Parcel P-1 Redevelopment Plan are as follows:

- The Mayor and Board of Aldermen, acting as the Redevelopment Entity, shall be provided with plans for all proposed redevelopment projects within the Redevelopment Area governed by this Redevelopment Plan to ensure that such project(s) is consistent with the

Redevelopment Plan and relevant redeveloper agreement(s). The Redevelopment Entity may provide comments to the Planning Board on waivers as part of their review. Such review shall occur prior to the submission of the redevelopment project(s) to the Planning Board for site plan approval. The Redevelopment Entity may waive or defer the requirements of this Section of the Plan in the public interest if necessary to meet financing deadlines for the project.

- As part of its review, the Redevelopment Entity may require the redeveloper(s) to submit proposed site plan applications to a subcommittee of the Redevelopment Entity prior to the submission of such applications to the Planning Board. Such Committee may include members of the Redevelopment Entity and any other members and/or professionals as determined necessary and appropriate by the Redevelopment Entity. Such Committee shall make its recommendations to the full Redevelopment Entity for formal authorization to proceed to the Planning Board for development approval.
- In undertaking its review, the Redevelopment Entity shall determine whether the proposal is consistent with this Redevelopment Plan and relevant redeveloper agreement(s). In addition, the review may address the site and building design elements of the project to ensure that the project adequately addresses the goals and objectives of the plan. Because of the components of the potential project that include three and four bedroom apartment units, it is required that a Fiscal Impact be reviewed and approved by the

Redevelopment Entity either as part of a redevelopment agreement or prior to the application to the Planning Board for Site Plan Approval.

- Following this determination, all development applications shall be submitted to the Dover Planning Board through the normal site plan and subdivision procedures as outlined in N.J.S.A. 40:55-1 et seq. and the Town of Dover Land Use Code.
- The Planning Board shall deem any application for redevelopment subject to this Redevelopment Plan incomplete if the applicant has not been designated as the redeveloper by the Redevelopment Entity. Additionally, the Planning Board shall deem any application for redevelopment subject to this Redevelopment Plan incomplete if the applicant has not received approval or a waiver/deferral of review from the Redevelopment Entity or any committee that it may designate for such purpose, stating that the application is consistent with the Redevelopment Plan and an executed redevelopment agreement.

The Board of Adjustment shall not grant any variances from the use provisions of this Redevelopment Plan. Any proposed changes to the Redevelopment Plan involving specific permitted or conditionally permitted land uses shall be in the form of an amendment to the Redevelopment Plan adopted by the Mayor and Board of Aldermen, in accordance with the procedures set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

VIII. RELATIONSHIP TO ZONING

ZONING PROVISIONS

EFFECT OF PLAN

The Redevelopment Plan for Block 1219, Lots 1 and 2:

- Constitutes an overlay to the existing zoning the Redevelopment Plan Area (Redevelopment Parcel P-1). The underlying D4 Zone shall continue to control and act as the primary zoning designation for the Redevelopment Plan Area.

TERMS & DEFINITIONS

Any terms or definitions not addressed within this Redevelopment Plan shall rely on the applicable terms and conditions set forth in Chapter 236, Land Use and Development, of the Town of Dover.

OTHER APPLICABLE DESIGN & PERFORMANCE STANDARDS

Any design or performance standards not addressed within this Redevelopment Plan shall rely on the applicable design and performance standards set forth in Chapter 236, Land Use and Development, of the Town of Dover.

CONFLICT

Any word, phrase, clause, section or provision of this plan, found by a court and other jurisdiction to be invalid, illegal or unconstitutional, such word, phrase, section or provision shall

be deemed servable and the remainder of the Redevelopment Plan shall remain in full force and effect.

ZONING MAP REVISION

Because this Redevelopment Plan constitutes an overlay for Sub-Area 2 and does not supersede the underlying zone, the Official Zoning Map of the Town of Dover is not required to be amended.

VIII. AMENDMENTS & DURATION

AMENDMENTS TO THE REDEVELOPMENT PLAN

This plan may be amended from time to time in accordance with the procedures of the LRHL. To the extent that any such amendment materially affects the terms and conditions of duly executed redevelopment agreements between one or more redevelopers and the Town of Dover, the provisions of the redevelopment plan amendment will be contingent upon the amendment of the redeveloper agreement to provide for the plan amendment.

RECOMMENDATIONS FOR REDEVELOPMENT AGREEMENT PROVISIONS

While this Redevelopment Plan provides an outline for the redevelopment of the three sub-areas, the details of how the redevelopment will be implemented will need to be specified in a redevelopment agreement that is negotiated between the Town and the redeveloper(s). No development shall proceed to the Dover Planning Board for subdivision or site plan approval until after a redevelopment agreement is executed by the Town of Dover in accordance with Section 9

of the Local Redevelopment and Housing Law. The Dover Board of Aldermen, acting as the Redevelopment Entity, may waive the requirement of a redevelopment agreement prior to site plan approval in circumstances that are in the public interest or where the financing of the redevelopment project is impacted.

CERTIFICATES OF COMPLETION & COMPLIANCE

Upon the inspection and verification by the Mayor and Board of Aldermen that the redevelopment of a parcel subject to a redeveloper agreement has been completed, a Certificate of Completion and Compliance will be issued to the redeveloper and such parcel will be deemed no longer in need of redevelopment.

This Redevelopment Plan will remain in effect until Certificates of Completion have been issued for the designated Area In Need of Redevelopment, or until the Redevelopment Plan is deemed no longer necessary for the public interest and repealed by Ordinance of the Mayor and Board of Aldermen.

SEVERABILITY

The provisions of this Redevelopment Plan are subject to approval by Ordinance. If a Court of competent jurisdiction finds any word, phrase, clause, section or provision of this Redevelopment Plan to be invalid, illegal or unconstitutional, the word, phrase, clause, section or provision shall be deemed severable and the remainder of the Redevelopment Plan and implementing Ordinance shall remain in full force and effect.

SELECTION OF REDEVELOPER(S)

Pennrose, Inc. was selected by the Town of Dover to redevelop Redevelopment Parcels P-1 and P-3 as part of review of redeveloper responses to a Request for Proposals. Should a redevelopment agreement not be successfully executed with Pennrose, the Mayor and Board of Aldermen, acting as the Redevelopment Entity may, at any time, proactively solicit other potential redevelopers by utilizing appropriate methods of advertisement and other forms of communication, or may, in its discretion, entertain an unsolicited proposal from a prospective redeveloper(s) for redevelopment of the Redevelopment Plan Area.

The following provisions regarding redevelopment are hereby included in connection with the implementation of this Redevelopment Plan and the selection of a redeveloper(s) for any property included in the Redevelopment Plan and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations to the contrary:

1. The redeveloper, its successor or assigns shall develop the property in accordance with the uses and building requirements specified in the Redevelopment Plan.
2. Until the required improvements are completed and a Certificate of Completion is issued by the Redevelopment Entity, the redeveloper covenants provided for in N.J.S.A. 40A:12A-9 and imposed in any redeveloper agreement, lease, deed or other instrument shall remain in full force and effect.

3. The redevelopment agreement(s) shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability and financial guarantees of the redeveloper(s) and any other provisions to assure the successful completion of the project.
4. The designated redeveloper(s) shall be responsible for any installation or upgrade of infrastructure related to their project whether on-site or off-site. Infrastructure items include, but are not limited to gas, electric, water, sanitary and storm sewers, telecommunications, recreation or open space, streets, curbs, sidewalks, street lighting and street trees or other improvements. The extent of the designated redeveloper's responsibility will be outlined in the redeveloper's agreements with the Town. All utilities shall be placed underground.
5. All infrastructure improvements shall comply with applicable local, state and federal law and regulations, including the Americans with Disabilities Act and the Prevailing Wage Law, where applicable.

In addition to the provision of the infrastructure items set forth herein, the Redevelopment Agreement may provide that the redeveloper(s) will agree to provide amenities, benefits, fees and payments in addition to those authorized under the Municipal Land Use Law.

APPENDIX A

2005 DESIGNATION OF TOWN OF DOVER AS AN AREA IN NEED OF REHABILITATION

**RESOLUTION DESIGNATING
THE TOWN OF DOVER
AS AN AREA IN NEED OF REHABILITATION**

WHEREAS, the Town of Dover has a significant aging housing stock; and

WHEREAS, the water and sewer system of the Town of Dover is aging and in need of repair or substantial maintenance; and

WHEREAS, the Town Engineer and Planner has prepared a report of findings in a memo dated June 22, 2005, indicating that more than half the housing stock in the Town of Dover is at least 50 years old and the majority of the water and sewer infrastructure is at least 50 years old and is need of repair or substantial maintenance and

WHEREAS, the Economic Development Committee of the Mayor and Board of Aldermen has investigated a number of areas in the Town for redevelopment or rehabilitation; and

WHEREAS, the Economic Development Committee of the Mayor and Board of Aldermen has received a report commissioned by them prepared by David Roberts, PP recommending consideration by the Mayor and Board of Aldermen of designating the Town as an Area in Need of Rehabilitation; and

WHEREAS, NJSA 40A:12A-14.a sets forth criteria that must be met in order for a delineated area to qualify as an "Area in Need of Rehabilitation"; and

WHEREAS, criteria number 2 of said statute has been determined to have been satisfied by the above noted report of the Town Engineer and Planner with respect to both the age of the housing stock and the age of the water and sewer systems; and

WHEREAS, it is believed that a program of rehabilitation can be expected to prevent further deterioration and help promote the overall development of the Town of Dover; and

WHEREAS, the Mayor and Board of Aldermen have referred this resolution prior to adoption to the Planning Board for review and comment as required by law;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Alderman of the Town of Dover that all land within the municipal boundaries of the Town of Dover are hereby designated as an "Area in Need of Rehabilitation."

BE IT FURTHER RESOLVED that the Redevelopment Entity of the Town of Dover shall investigate the need for the preparation of Redevelopment Plans at appropriate locations in the Town of Dover and recommend same to the Governing Body.

Adopted: 8/9/2005

Attest: 
Paul C. McDougall, Town Clerk


Javier Marin, Mayor

**APPENDIX B: ORDINANCE NO. 15-2016
ADOPTION OF P-1 REDEVELOPMENT PLAN**



**TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN**

ORDINANCE NO. 15-2016

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS AND THE STATE OF NEW JERSEY ADOPTING REDEVELOPMENT PARCEL P-1, REDEVELOPMENT PLAN, BLOCK 1219, LOTS 1 AND 2 PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW N.J.S.A. 40A:12A-1 ET. SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the "Act"), provides a process for municipalities to participate in the redevelopment or rehabilitation and improvement of areas in need of rehabilitation; and

WHEREAS, on August 9, 2005, the Mayor and Board of Alderman adopted a Resolution designating all land within the Town of Dover an "Area In Need of Rehabilitation" pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Redevelopment Law"); and

WHEREAS, the Mayor and Board of Alderman directed the preparation of a Redevelopment Plan for Block 1219, Lots 1 and 2, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-7; and

WHEREAS, the Mayor and Board of Alderman retained the services of David Roberts, AICP, PP, LLA, RLA of Maser Consulting, P.A., a professional engineering, planning and design firm ("Maser") to assist in preparing a Redevelopment Plan; and

WHEREAS, Maser prepared a Redevelopment Plan entitled "Redevelopment Parcel P-1, Redevelopment Plan, Block 1219, Lots 1 and 2," dated May 31, 2016 (the "Redevelopment Plan"); and

WHEREAS, the Redevelopment Plan was prepared in accordance with N.J.S.A 40A:12A-7a; and

WHEREAS, the Planning Board, has reviewed said Redevelopment Plan and has determined that it is substantially consistent with the Town of Dover Master Plan, the Master Plan of the County of Morris, and the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act", P.L. 1985, c.398 (C.52:18A-196 et al.)

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey as follows:

- Purpose & Intent; Background.**
The purpose and intent of this Ordinance is to adopt by reference the Redevelopment Plan as prepared by Maser entitled "Redevelopment Parcel P-1, Redevelopment Plan,

Block 1219, Lots 1 and 2," dated May 31, 2016. This Ordinance is adopted under the authority of the Act. This Ordinance and the Redevelopment Plan, involve the properties located at Block 1219, Lots 1 and 2; on the Tax Map of the Town of Dover in conformance with the requirements of N.J.S.A. 40A:12A- 7.

- Adoption of Redevelopment Plan.**
The Mayor and Board of Aldermen hereby adopt by reference, and incorporates the same herein as if set forth at length, the "Redevelopment Parcel P-1, Redevelopment Plan, Block 1219, Lots 1 and 2," dated May 31, 2016. In adopting said Redevelopment Plan, the governing body hereby declares and determines that said Redevelopment Plan meets the criteria, guidelines and conditions set forth at N.J.S.A. 40A: 12A-7; provides realistic opportunities for redevelopment in said Area in Need of Rehabilitation; and is otherwise in conformance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A.: 40A: 12A-1 et. seq. The Mayor and Board of Aldermen further find and determine that said Redevelopment Plan effectuates the objectives of the Town of Dover's Master Plan.
- If any section or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any other part thereof.
- All ordinances or parts of ordinances heretofore adopted that are inconsistent with the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
- This Ordinance shall become final upon adoption and publication in the manner prescribed by law.

ATTEST:


Margaret J. Verga, Municipal Clerk


James P. Dodd, Mayor

Introduced: 06/14/2016

Adopted: 06/28/2016